

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion is respectfully requested.

Claims 1-9, 25 and 29 are pending in the present application. Claims 1, 25 and 29 are amended; and Claims 10-24, 26 and 30 are canceled without prejudice or disclaimer by the present amendment. Support for the amended claims can be found at least at Figs. 8-10 and their corresponding descriptions in the originally filed disclosure. No new matter is presented.

In the Office Action, In the Final Office Action of October 15, 2009 (herein, the Final Office Action), independent Claims 1, 25 and 29 are rejected under 35 U.S.C. § 103(a) as unpatentable over Gerszberg et al. (U.S. Pat. 6,178,446, herein Gerszberg) in view of Paul et al. (U.S. Pub. 203/0172108, herein Paul), Garcia et al. (U.S. Pat. 5,510,832, hereinafter Garcia) and Kitazato et al. (U.S. 6,490,728, herein Kitazato); independent Claims 10, 26 and 30 are rejected under 35 U.S.C. § 103(a) as unpatentable over Gerszberg in view of Paul and Kitazato; and dependent Claims 2-9 and 11-24 are rejected under 35 U.S.C. § 103(a) as unpatentable over Gerszberg in view of Paul and/or Garcia and Kitazato in combination with one or more of Maritzen et al. (U.S. Pub. 2002/0026419, herein Maritzen), Leonard et al. (U.S. Pub. 2002/046109, herein Leonard), Giuliani et al. (U.S. Pat. 5,974,399, herein Giuliani), Pocock et al. (U.S. Pat. 5,014,125, herein Pocock), Holman et al. (U.S. Pat. 5,287,181, herein Holman), Von Kohorn et al. (U.S. Pat. 5,128,752, herein Von Kohorn), and Maeda et al. (U.S. Pub. 2003/0003431, herein Maeda).

In response to the above noted rejections under 35 U.S.C. § 103(a), Applicants respectfully submit that amended independent Claims 1, 25 and 29 recite novel features clearly not taught or rendered obvious by the applied references.

Independent Claim 1, for example, recites an information processing apparatus comprising:

a transmitter configured to transmit request information continuously at a particular interval, the request information requesting related information related to a song in a broadcast program being received and including at least one of a song title of the song or an artist name of an artist of the song;

a receiver configured to receive the related information corresponding to the request information, the related information including the song title, the artist name, and an album number corresponding to the song, and to receive an identification code indicative of a right to receive a particular service upon purchase of a content as a response to the transmitted request, wherein the particular service is related to the broadcast program being received and ***the identification code includes an issuer of the identification code, a purpose of the identification code, a location at which the identification code can be used to receive the particular service, an expiration date of the identification code and a code identifier corresponding to the identification code;***

a memory configured to store the related information and the identification code which have been received ***along with time information indicating when the related information and the identification code were stored and a memory location identifying a location at which the song corresponding to both the related information and the identification code is stored ...***

Independent Claims 25 and 29, while directed to alternative embodiments, are amended to recite similar features.

In rejecting the claimed features directed to receiving the related information including the identification code, p. 3 of the Office Action relies on col. 9, ll. 35-58 of Gerszberg noting that this passage describes retrieving coupons corresponding to a broadcasted advertisement.

Gerszberg, however, fails to teach or suggest that these coupons include “***an issuer of the identification code, a purpose of the identification code, a location at which the identification code can be used to receive the particular service, an expiration date of the identification code and a code identifier corresponding to the identification code***”, as do the received identification codes, as recited in amended independent Claims 1, 25 and 29.

As to storing the identification codes, p. 3 of the Office Action relies on col. 9, ll. 52-56 of Gerszberg. This cited portion of Gerszberg, however, merely describes that the retrieved coupon can be printed for storage, and fails to teach or suggest storing “the related information and the identification code which have been received *along with time information indicating when the related information and the identification code were stored and a memory location identifying a location at which the song corresponding to both the related information and the identification code is stored*”, as recited in amended independent Claims 1, 25 and 29.

Moreover, none of Paul, Garcia nor Kitazato remedy the above noted deficiencies of Gerszberg.

Accordingly, for at least the reasons discussed above, Applicants respectfully request that the rejection of Claim 1 under 35 U.S.C. § 103 be withdrawn. For substantially similar reasons it is also submitted that independent Claims 25 and 29 patentably define over Gerszberg, Paul, Garcia and Kitazato.

Regarding the rejection of Claims 2-9 under 35 U.S.C. § 103(a) as unpatentable over Gerszberg in view of Paul and/or Garcia and Kitazato in combination with one of Maritzen, Leonard, Giuliani, Pocock, Holman, Von Kohorn, and Maeda, Applicants note that Claims 2-9 ultimately depend from independent Claim 1, and are believed to be patentable for at least the reasons discussed above. Further, Applicants respectfully submit that none of the applied tertiary references cure the above noted deficiencies of Gerszberg, Paul, Garcia and Kitazato.

Accordingly, Applicants respectfully request that the rejection of Claims 2-9 under 35 U.S.C. § 103 be withdrawn.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-9, 25 and 29 is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for allowance and an early and favorable reconsideration of the application is therefore requested.

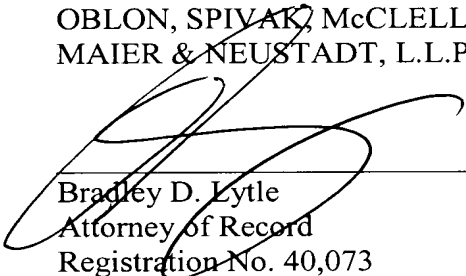
Respectfully submitted,

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